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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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QUIRK & TRATOS
3773 HOWARD HUGHES PARKWAY
SUITE 500 NORTH
LAS VEGAS, NV 89109

EXAMINER

MENDOZA, ROBERT J

ART UNIT	PAPER NUMBER
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3713

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,004

Applicant(s)

ITKIS ET AL.

Examiner

Robert J Mendoza

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-67 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-67 are rejected under 35 U.S.C. 102(b) as being anticipated by Floretti (USPN 5,351,970).

Regarding claims 1-5, 7, 9, 30-33, 35, 37 and 54-67, Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses a system for playing a sequence of games bingo in a first session including a microprocessor, said microprocessor storing a plurality of bingo card patterns, automatically generating random numbers and generating statements having informational data thereon and corresponding to one or more of said bingo card patterns and a printer in communication with said microprocessor for printing said generated statements. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses a bingo ball hopper in communication with the microprocessor such that the bingo ball hopper communicates with the microprocessor, and said microprocessor determining whether one or more of the bingo card patterns are winning cards by comparing the stored bingo patterns with each of the numbers generated and storing a status of each card as the numbers are generated, the bingo ball hopper being disabled upon determination of one or more winning cards and notifying the winning participants. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses means to

notify the participants of the status of their statements is a monitor, viewable by the participants, in communication with the microprocessor. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses the microprocessor comprises a computer network having one or more point of sale terminals. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses the monitor displays a statement identification code corresponding to the best bingo card. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses the data processing means further automatically re-enabling the generating of random numbers to initiate a new bingo session.

Regarding claims 15-25, 27-29 and 39-53, Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses determining of one or more winning bingo cards, the microprocessor further determined a prize associated therewith. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses a session of bingo games, the session comprising at least two bingo games in sequence, upon the occurrence of one or more predetermined events, the occurrence enabling the bingo ball hopper wherein the predestined event is a completion of a previous bingo game, start of a new game and a predetermined number of sales of bingo cards for a new game. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses the microprocessor validates the statements upon presentation by comparing an identification code, verification code, player tracking number, player name and a barcode corresponding to the statements with the information printed on the statements. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses a

cashier terminal in communication with the microprocessor, the cashier terminal including a monitor for displaying an outcome corresponding to the printed statements. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses the microprocessor scans the identification and verification codes printed on the statements to retrieve the results of the bingo cards corresponding to the statements. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67, col. 11:1-67, col. 12:1-67 and col. 13:1-67, discloses an operator may override the microprocessor and manually enter the identification and verification codes.

Regarding claims 6, 8, 10-14, 26, 34, 36 and 38, Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67, col. 11:1-67, col. 12:1-67 and col. 13:1-67, discloses a monitor the displays a statement identification code corresponding to the best bingo card, and monitor displays the numbers needed to be generated for a best bingo card to achieve bingo. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67, col. 11:1-67, col. 12:1-67 and col. 13:1-67, discloses wherein said one or more point of sale terminals includes a magnetic card reader, smart card reader, a barcode reader, a bill acceptor, a printer, a bill dispenser and a keyboard. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67, col. 11:1-67, col. 12:1-67 and col. 13:1-67, discloses wherein said point of sale terminals include a data processing means that generates and prints one or more statements each including an identification and verification number. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67, col. 11:1-67, col. 12:1-67 and col. 13:1-67, discloses and said data processing means displaying on a monitor an outcome corresponding to

said statement upon first inputting said identification number, said data processing means validating said statement upon second inputting if the verification number.

Response to Arguments

Applicant's arguments with respect to claims 1-53 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. Mendoza whose telephone number is (571) 272-4439. The examiner can normally be reached on Monday-Friday from 8:00am to 5:00pm.

Application/Control Number: 10/042,004

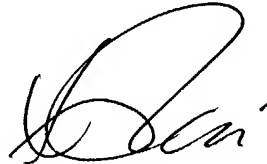
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai, can be reached at (571)272-7147. The USPTO official fax number is (703) 872-9306.

RM

RM
November 21, 2004


XUAN M. THAI
PRIMARY EXAMINER
AU3713